

Introduced by Senator Torlakson

February 10, 2004

An act to amend Sections 217, 217.2, 217.4, and 217.6 of the Streets and Highways Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

SB 1210, as introduced, Torlakson. Highways: design-sequencing contracts.

Existing law authorizes the Department of Transportation until January 1, 2005, to conduct a pilot project to let design-sequencing contracts, as defined, for the design and construction of not more than 12 transportation projects, to be selected by the Director of Transportation.

This bill would extend the operation of this pilot project to January 1, 2007, and would increase the number of transportation projects to not more than 15. The bill would require the director to designate as a top priority those projects that improve interregional and intercounty routes. The bill would authorize the department to designate specified local entities to oversee design-sequencing contracts for highways, tunnels, or bridges.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 217 of the Streets and Highways Code
2 is amended to read:

1 217. ~~For purposes of this article, the following terms have the~~
2 ~~following meanings~~ *The following definitions apply for the*
3 *purposes of this article:*

4 (a) *“Design” is a plan completed to a level of 30 percent.*

5 (b) *“Design-sequencing” is a method of contracting that*
6 *enables the sequencing of design activities to permit each*
7 *construction phase to commence when design for that phase is*
8 *complete, instead of requiring design for the entire project to be*
9 *completed before commencing construction.*

10 ~~(b)~~

11 (c) *A “design-sequencing contract” is a contract between the*
12 *department and a contractor that requires the department to*
13 *prepare a design and permits construction of a project to*
14 *commence upon completion of design for a construction phase.*

15 ~~(e) “Design” is a plan completed to a level of 30 percent.~~

16 (d) *This section shall remain in effect only until January 1,*
17 *2005 2007, and as of that date is repealed, unless a later enacted*
18 *statute, that is enacted before January 1, 2005 2007, deletes or*
19 *extends that date.*

20 SEC. 2. Section 217.2 of the Streets and Highways Code is
21 amended to read:

22 217.2. (a) Notwithstanding Chapter 1 (commencing with
23 Section 10100) of Part 2 of Division 2 of the Public Contract Code,
24 except Section 10128 of that code, and Chapter 10 (commencing
25 with Section 4525) of Division 5 of Title 1 of the Government
26 Code, the department may conduct a pilot program to let
27 design-sequencing contracts for the design and construction of ~~no~~
28 *not more than 12 15* transportation projects, to be selected by the
29 director. For the purpose of this article, these projects shall be
30 deemed public works.

31 (b) In selecting projects for the pilot program authorized under
32 subdivision (a), the director shall attempt to balance geographical
33 areas among test projects as well as pursue diversity in the types
34 of projects undertaken. *In this process, the director shall designate*
35 *as a top priority, those projects that improve interregional and*
36 *intercounty routes.*

37 (c) To the extent available, the department shall seek to
38 incorporate existing knowledge and experience on
39 design-sequencing contracts in carrying out its responsibilities
40 under subdivision (a).

1 (d) *The department may designate a county congestion*
2 *management agency or a county transportation authority as the*
3 *lead agency to oversee design-sequencing contracts for highways,*
4 *tunnels, or bridges.*

5 (e) This section shall remain in effect only until January 1,
6 2005 2007, and as of that date is repealed, unless a later enacted
7 statute, that is enacted before January 1, 2005 2007, deletes or
8 extends that date.

9 SEC. 3. Section 217.4 of the Streets and Highways Code is
10 amended to read:

11 217.4. (a) Not later than July 1 of each year for which the
12 design-sequencing contracts are underway, the department shall
13 prepare a status report on its contracting methods, procedures,
14 costs, and delivery schedules. Upon completion of all
15 design-sequencing contracts, ~~notwithstanding Section 7550.5 of~~
16 ~~the Government Code,~~ the department shall establish a peer review
17 committee to prepare a report for submittal to the Legislature that
18 describes and evaluates the outcome of the contracts provided for
19 in this article, stating the positive and negative aspects of using
20 design-sequencing as a contracting method.

21 (b) This section shall remain in effect only until January 1,
22 2005 2007, and as of that date is repealed, unless a later enacted
23 statute, that is enacted before January 1, 2005 2007, deletes or
24 extends that date.

25 SEC. 4. Section 217.6 of the Streets and Highways Code is
26 amended to read:

27 217.6. Design-sequencing contracts shall be awarded in
28 accordance with all of the following:

29 (a) The department shall advertise design-sequencing projects
30 by special public notice to contractors.

31 (b) Contractors shall be required to provide prequalification
32 information establishing appropriate licensure and successful past
33 experience with the proposed work.

34 (c) This section shall remain in effect only until January 1, 2005
35 2007, and as of that date is repealed, unless a later enacted statute,
36 that is enacted before January 1, 2005 2007, deletes or extends that
37 date.

